



COMMODITY FUTURES TRADING COMMISSION

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Division of
Enforcement

January 28, 2022

BY ECF

Hon. John G. Koeltl
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 14A
New York, NY 10007-1312

**Re: CFTC v. John David McAfee and Jimmy Gale Watson,
1:21-cv-1919 (JGK)**

Dear Judge Koeltl:

Plaintiff Commodity Futures Trading Commission (the “CFTC”) respectfully writes the court to provide a status update concerning Defendant John D. McAfee.¹

As Plaintiff noted in its previous status letter, it understood that McAfee was being detained in a Spanish prison in connection with extradition requests by the U.S. Department of Justice. In response to the CFTC’s request of assistance pursuant to the Convention on Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the “Hague Convention”), a local Spanish official personally served McAfee on June 1, 2021. (Dkt. No. 22.) McAfee’s answer (or other responsive motion) thus was due on June 22, 2021, pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i). No answer or other response was filed or served by that date.

According to news reports, on the following day, June 23, 2021, a Spanish court authorized McAfee’s extradition, and later that day he was found dead in his jail cell by apparent suicide. See Davis, Walsh, and Marcos, *John McAfee, Software Pioneer Turned Fugitive, Dies in Spanish Prison*, N.Y. Times, June 24, 2021, at B4. More information regarding the death report is being sought but has not yet been obtained from Spanish government officials; the CFTC will provide more information when it becomes available.

¹ Co-Defendant Jimmy Gale Watson was served timely. On January 12, 2022, this Court granted Watson’s unopposed motion for an additional ninety days to answer the complaint, i.e., until April 14, 2022.

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In light of the current status and Watson's request for additional time, Plaintiff respectfully requests the Court reschedule the status update to April 28, 2022, which is two weeks after the date that Watson's response to the complaint is due.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David Oakland", written over a horizontal line.

David W. Oakland

cc: Arnold Spencer, Esq. (counsel for co-defendant Watson) (via ECF)